

UMass drug-testing lab may be closed by state health officials

Published: Tuesday, August 16, 2011, 8:15 PM Updated: Tuesday, August 16, 2011, 8:19 PM



By **Dan Ring, The Republican** The Republican

BOSTON -- State public health officials, facing a budget shortfall, are again thinking about **closing the only Western Massachusetts laboratory** that analyzes drugs seized by local police, according to the president of the union for employees at the lab.

The **state Department of Public Health** is considering possible closure of its laboratory at the University of Massachusetts at Amherst, and laying off employees at the lab, the union president said.

The lab, which employs three chemists and a supervisor, analyzed 4,629 samples of illegal drugs for municipal police departments in Western Massachusetts, plus an additional 1,527 samples that came from the main state lab in Boston, during the most recent fiscal year, according to the Massachusetts Organization of State Engineers and Scientists, the union that represents employees of the lab.

Jennifer Manley, communications director for the state Department of Public Health, issued a statement on Tuesday that said: "As a result of the ongoing national economic downturn,

agencies across state government have experienced unprecedented budgetary constraints. We are in the process of developing implementation plans for the FY12 budget, and no decisions have been made regarding the UMass Lab."

Manley declined to comment beyond the statement.

The Amherst lab currently has about a 33-day backlog of analysis. It analyzes and weighs LSD, marijuana, cocaine, heroin and other drugs confiscated in criminal cases. The lab's reports and testimony from chemists are often used in trials or grand jury investigations.

Joseph Dorant, president of the **Massachusetts Organization of State Engineers and Scientists**, is planning to send a letter to state legislators on Wednesday, asking them to approve \$300,000 to keep the Amherst laboratory operating for this fiscal year.

Dorant said the work at the laboratory is critical for public safety and assuring the streets are safer.

"Our greatest concern is that the entire legal process will be compromised and more criminals will slip through the proverbial cracks, putting all people at risk," Dorant said.

The **Springfield Police Department** transports seized drugs each week to the Amherst lab for testing, Dorant said. The **Holyoke Police Department** drops off samples once every three weeks, he said.

If the Amherst lab closes, police in Western Massachusetts might be required to transport samples to the state Department of Public Health's main laboratory in the Jamaica Plain section of Boston, Dorant said.

Under that scenario, police would spend more time on the road and police might be forced to wait longer for results from the lab. It could also add to fuel costs for municipalities. Police

said they need to transport the illegal drugs themselves to preserve continuity of evidence.

The **Jamaica Plain lab** can't absorb the work from Amherst because it is already facing about a three-month backlog, Dorant said. That backlog in Jamaica Plain will grow if it is required to perform the work that now takes place in Amherst, he added.

Robert P. Frydryk, chief of **police in Palmer**, and Patrick Archbald, deputy chief of police for the **University of Massachusetts Police Department**, said on Tuesday they would oppose closure of the Amherst lab.

"It's been a wonderful resource over the years and certainly would be going forward," Archbald said.

Donald A. Poirot, chief of police in Adams and the president of the **Western Massachusetts Chiefs of Police Association**, said closure of the Amherst lab would strain the resources of police departments in Western Massachusetts. "We would have to travel further," Poirot said. "That comes at a cost."

Also, as a result of a 2009 U.S. Supreme Court decision, chemists in Jamaica Plain and Amherst receive multiple summonses a day to appear in various courts throughout the state, according to Dorant. If the Amherst lab closed, then chemists from Jamaica Plain might have to travel to Western Massachusetts to testify at court, resulting in more time away from the lab and increasing the backlog, he said.

The U.S. Supreme Court ruled that criminal defendants have a right to cross-examine forensic analysts about lab reports.

Chemists in the Amherst lab made 60 court appearances in the fiscal year that ended June 30, while Jamaica Plain chemists made 188 court appearances, Dorant said.

Sen. **Stanley C. Rosenberg**, D-Amherst, said he would like to keep open the Amherst lab.

Rosenberg said he doesn't know if the state Legislature could approve \$300,000 to preserve the lab, especially with pending federal budget cuts that could impact many state programs.

"I would hate to see that office closed and the service moved to another part of the state," Rosenberg said.

The Amherst lab also faced a threat of closure in 2009, because of budget cuts.

© 2011 masslive.com. All rights reserved.